

Serial No. 09/829,674

Page 9 of 12

**REMARKS**

Applicant cancels claim 3. Claim 2 was previously canceled. Claims 1 and 4-10 remain pending in the application. Applicant amends claims 1 and 7-10 to incorporate the features of canceled claim 3. No new matter has been added.

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,373,950 to Rowney in view of "Handbook of Applied Cryptography" by Menezes et al., in view of U.S. Patent No. 6,718,274 to Huang et al., and further in view of U.S. Patent No. 6,134,661 to Topp; claims 1-2 and 4-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowney in view of U.S. Patent No. 6,732,269 to Baskey et al., Menezes et al., Huang et al., and Topp; and claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Rowney in view of Baskey et al., Menezes et al., Huang et al., Topp, and U.S. Patent No. 6,351,813 to Mooney et al. Applicant amends independent claims 1 and 7-10 to incorporate the features of claim 3, and respectfully traverse the rejection thereof.

The Examiner maintained the rejections by contending that Rowney describes a direct connection between a customer 120 and a merchant 130 (Fig. 1B), and Baskey et al., when combined with Rowney, would have suggested authenticating the direct connection between the customer 120 and the merchant 130 using a proxy therebetween.

Applicant, again, respectfully points out that the cited portions of Baskey et al., col. 5, lines 17-37, merely describe an SSL proxy server operable in routing client specific SSL connections onto a persistent secure connection between the SSL proxy server and a transaction server. Therefore, the cited portions of Baskey et al. only describe an SSL proxy server that is a communication proxy for a client to a transaction server. And, as such, a combination of such

84194582\_1.DOC

Serial No. 09/829,674

Page 10 of 12

portions of Baskey et al. with the cited portions of Rowney—including Fig. 1B thereof—would still have only suggested such an SSL proxy server, as a communication proxy, routing client specific SSL connections onto a persistent secure connection between the SSL proxy server itself and a transaction server. In other words, the Examiner's proposed combination, even if it would have been obvious to one skilled in the art at the time the claimed invention was made, would have, at most, suggested an SSL proxy server, as described in Baskey et al., communicating on behalf of customer 120 with merchant 130 illustrated in Fig. 1B of Rowney—or routing SSL connections specific to the customer 120 onto a persistent secure connection between the SSL proxy server itself and the merchant 130 illustrated in Fig. 1B of Rowney. Therefore, Applicant has been directly addressing the deficiencies of the combination of references proposed by the Examiner, which still would have failed to suggest the claimed feature of authenticating a direct communication between a user terminal and an electronic market server using a proxy therebetween.

Furthermore, the cited portions of Mooney et al., col. 1, lines 59-67, col. 2, lines 1-11, and col. 9, lines 31-36, only describe the use of a user smart card and passwords for access control. Such portions, therefore, do not teach or suggest the above-cited features of claims 1 and 10, including the claimed feature of a home card at a proxy server and an access card at a user terminal cooperating to establish an encrypted communication session and exchange the common key X'. Applicant, therefore, respectfully submits that the combination of Mooney et al. with Rowney, Baskey et al., Menezes et al., and Huang et al. would not have taught or suggested the above features of claims 1 and 10 and those of claim 3 now incorporated therein, even assuming such a combination would have been obvious to one skilled in the art.

84194582\_1.DOC

Serial No. 09/829,674

Page 11 of 12

Accordingly, Applicant submits that claim 3 is patentable over Rowney, Baskey et al., Menezes et al., Huang et al., and Mooney et al. for at least the above-stated reasons.

In other words, even assuming, arguendo, that it would have been obvious to one skilled in the art to combine the cited references at the time the claimed invention was made, such a combination would still have fails to disclose or suggest,

“[a] user terminal being able to communicate with a first server and a second server;

wherein the first server includes a proxy facility for executing authentication with the second server instead of the user terminal, when receiving an identification information and a request for executing an authentication process from an access card connected to the user terminal; and the second server has an authentication facility to authenticate the user terminal in accordance with predetermined procedures and to provide a secret key X for an authorized destination as a result of authentication to perform encrypted communication with the user terminal directly;

wherein the user terminal comprises a transmitting unit to transmit the identification information used for identifying its own terminal and the request for executing the authentication process, to the first server, and a receiving unit to receive the secret key X from the first server, which secret key X is encrypted by using a common key X' that is exchanged between the user terminal and the first server; and

wherein said first server comprises a home card including an encryption managing means for executing the electronic signature and authentication of the certificate in order to execute authentication and exchange of the common key to the electronic market server, said home card cooperating with said access card to establish an encrypted communication session, receive said request, and exchange said common key X', wherein the home card further includes a logic circuit which enables an access by using a first password input from the user terminal; and a security releasing means for releasing the security for the proxy means by using a second password input from the user terminal, after establishment of the encrypted communication session to the user terminal in which an access was permitted,” as recited in claim 10. (Emphasis added)

84194582\_1.DOC

Serial No. 09/829,674

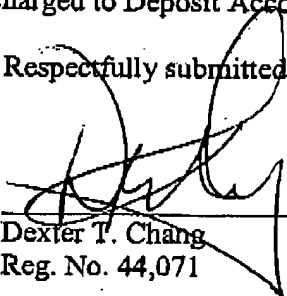
Page 12 of 12

Accordingly, Applicant respectfully submits that independent claim 10 is patentable over Rowney, Baskey et al., Menezes et al., Huang et al., separately and in combination. Independent claims 1 and 7-9 incorporate features that correspond to those of claim 10 cited above, and are, therefore, together with claims 4-6 dependent from claim 1, patentable over the cited references for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Dexter T. Chang  
Reg. No. 44,071

CUSTOMER NUMBER 026304  
Telephone: (212) 940-6384  
Fax: (212) 940-8986 or 8987  
Docket No.: 100794-11683 (FUJA 18.570)  
DTC:bf

84194582\_1.DOC